

DRECP FAQ

1. What is the path forward for finalizing the DRECP?

The agencies are adjusting the path forward based on public comments and the need to work with the counties on the non-federal portion of the plan. We will be using a phased approach for approving the three fundamental components of the DRECP: 1) the BLM Land Use Plan Amendment, 2) federal General Conservation Plan and 3) state Natural Community Conservation Plan.

The agencies will start by completing the BLM component that designates development focus areas and conservation areas on public lands.

The agencies will actively engage with the counties to better inform decisions on best options and timing for proceeding with the other DRECP components as they relate to private lands. Several of the counties in the DRECP area are finalizing land use planning processes that include, or are exclusively focused on, renewable energy development. The goal of county engagement will be to better align renewable energy development and conservation at the local, state and federal level. This dialogue will allow us to explore opportunities for a tailored, county-by-county approach in addition to improvements to the plan-wide approach.

2. What are the benefits of finalizing the BLM component of the Plan first?

The BLM has legal and policy obligations to act, including:

- *The [Energy Policy Act's](#) goal of at least 10,000 megawatts of renewable generation on public land, as well as the more recent goal of an additional 10,000 megawatts on public land by 2020 articulated in the President's [Climate Action Plan](#), June 2013.*
- *[Presidential Memorandum](#) issued May 17, 2013, directing federal agencies to modernize federal infrastructure review and permitting regulations, policies, and procedures. This includes coordination with federal, state, local, tribal governments; early engagement with stakeholders; utilization of landscape level mitigation practices; promotion of sharing scientific and environmental data; facilitation of informed project planning; identification of data gaps early in the review process, and application of best environmental and cultural practices as set forth in statute and policies.*
- *Department of Interior's established national policy goals directed in Secretarial orders [3285](#) and [3285A1](#) (link to [press release](#)) to identify and prioritize specific locations best suited for large scale production of solar energy on public lands; encourage production and delivery of renewable energy as one of the highest priorities for DOI; and work collaboratively with others to encourage the timely and responsible development of renewable energy.*
- *The Omnibus Public Land Management Act of 2009's direction for the BLM to designate National Conservation Lands in the California Desert Conservation Area.*

Additional benefits of moving forward starting with just the BLM component are:

- *To provide certainty to local governments, stakeholders and the public with respect to development and conservation on federal public lands.*
- *To provide additional time and opportunities for the state and federal agencies to work with counties and other stakeholders to address issues and concerns with the General Conservation Plan and the Natural Community Conservation Plan components, including the proposed permitting processes.*
- *To create additional certainty for the conservation baseline for the subsequent conservation planning element of the DRECP.*

- To facilitate implementation of the [Durability Agreement](#) between California and the Bureau of Land Management that provides mechanisms to achieve project mitigation on public land.
- To ensure conservation protection for recreation, cultural, scenic, and other natural resource values in the [California Desert Conservation Area](#), the importance of which is a major theme of many comments received on the draft DRECP.

3. Will the NCCP component of the DRECP move forward?

Not initially. The draft Plan proposes an NCCP that relies heavily on the BLM component of the DRECP, as well as close coordination with the counties in the DRECP area. An NCCP of this scale that provides regulatory assurances for a single activity (renewable energy development), covering seven counties, and delivering the high standard of natural resource conservation across 22.5 million acres has never been done before.

As the counties' comments illustrate, many counties are in the midst of performing renewable energy planning and have raised concerns that the NCCP provisions in particular may hamper local government private lands planning. Phasing the development of the NCCP or a similar conservation construct after the LUPA gives us time to focus on dialogue with the counties and other stakeholders on the private-land element at the Plan.

4. Will the GCP component of the DRECP move forward?

We received comments on the GCP similar to those on the NCCP component. These comments called for coordination with the counties, having dialogue with the industry on the permitting process, and ensuring that the federal and state approaches are aligned. Therefore, the current approach is to move forward with both the GCP and NCCP—or a similar construct—together but after the BLM component of the plan.

5. What will be included in the BLM component of the Plan?

The draft DRECP includes a tremendous amount of scientific and analytical work. The agencies have also received a lot of detailed comments from the public. All of this work will inform the BLM component of the plan, as well as future phases. The BLM component of the plan will:

- *Make land use designations to define which public lands in the desert are available for renewable energy, and which are set aside for wildlife, recreation, cultural resources, and other uses.*
- *Describe specific allowable uses within these land use designations.*
- *Implement the [Omnibus Public Land Management Act of 2009](#) (link to Obama's [statement](#)) by designating [National Conservation Lands](#) within the [California Desert Conservation Area](#).*
- *Implement Secretarial Order 3285 by encouraging timely and responsible development of renewable energy while protecting and enhancing the nation's water, wildlife, and other natural resources.*
- *Refine previous work done through the [Western Solar Plan](#) and other planning processes by using the best available science and considering the full spectrum of land uses in the California desert.*

6. What is the review and approval process for the BLM component of the plan?

The BLM will continue to work very closely with its federal, state, and local partners as it advances the public land portion of the DRECP. The agencies will review the comments submitted during the public

comment period, and the BLM will work to finalize its land use plan and environmental document in consultation with agency partners.

7. What are the benefits of the phased approach and how will it specifically benefit key stakeholder groups: Industry? Environmental Community? Counties?

The phased approach will provide additional time to work with counties, the public, and stakeholders on issues identified in public comments.

Individualized benefits include:

- *Counties: Gives the state agencies time to work closely with the counties to address their comments and gives the counties extra time to finish their local planning process. We will take advantage of this opportunity to align county planning work with the DRECP, and to work cooperatively to achieve both county planning objectives and the goals of the DRECP.*
- *Environmental community: Provides additional time to evaluate NCCP comments, allows the BLM component of the plan to provide certainty with respect to development and conservation on public lands, and provides a public lands conservation baseline for subsequent planning element(s).*
- *Industry: Provides additional time to work through industry concerns with the permitting process and allows the BLM component of the plan to offer certainty with respect to development and conservation on public land.*

8. What is the expected timeframe for completion of the NCCP and GCP under this approach?

We will determine the timeframe for the NCCP, or a similar conservation construct, and GCP after fully evaluating public comments and as part of our collaboration with the counties.

9. Will there be an EIR or EIS moving forward in the initial phase?

The first phase will focus on the BLM component of the DRECP which will be an environmental impact statement under NEPA. The first phase will not include an environmental impact report, the state equivalent of an environmental impact statement under CEQA

10. Will the BLM component of the Plan need a supplemental document?

We are undertaking a detailed review of all comments and will make that decision when the review is complete.

11. Will the State agencies be taking any action on the Plan this year?

We will develop an approach and timing based on a thorough analysis of public comments and dialogue with the counties and other stakeholders. The State agencies will continue to work closely with the BLM to complete the BLM component of the plan. In addition, we will be working with the counties on an individual basis to address their areas of concern and provide better coordination with existing county actions.

12. What action will the U.S. Fish and Wildlife Service be taking this year?

The Service will work closely with the BLM and the other agencies as BLM finalizes the LUPA portion of the Plan. The BLM will be consulting with the Service on the LUPA and providing a biological assessment in timely manner.

13. How will you engage with the tribes in the next phase of the DRECP?

The agencies will continue to engage the tribes in the DRECP process. The BLM has worked closely with desert tribes over the past several years, through hosting tribal leadership forums, conducting one-on-

one government-to-government consultation, and providing technical information. The BLM will continue to consult with tribes in the coming months, with an emphasis on the public land elements of the plan.

14. Does the new phasing approach affect the draft Durability Agreement?

We are evaluating this issue as part of our review of comments. We believe that moving forward with the BLM component of the DRECP may help facilitate implementation of the Durability Agreement between California and the Bureau of Land Management. This agreement will provide mechanisms to achieve project mitigation on public land.

15. How many comment letters did you receive?

We received about 12,000 comment letters from a diverse range of stakeholders including counties, cities, state and federal agencies, tribes, renewable energy industry, environmental organizations, recreation groups, local residents, and the general public.

Public input on the draft has been valuable and is shaping the path forward for the final DRECP.

16. What are the broad themes of the comments you have received?

We are still reviewing comments but some of the early comments we have reviewed include:

- *Counties within the planning area requested additional time and closer coordination with state and federal agencies to ensure there is better alignment between county planning objectives and the DRECP. Five of the seven counties are engaged in local planning efforts for renewable energy and conservation using grants awarded by the California Energy Commission.*
- *Fundamental concerns about the approach taken in the Natural Community Conservation Plan (state endangered species act).*
- *Concerns about how the GCP (federal endangered species act) aligns with county planning processes.*
- *Renewable energy developers and other stakeholders questioned whether the DRECP provides meaningful permitting efficiencies and certainty.*
- *Support for conservation and recreation protections on public lands, including public access. On the other hand, we also received comments requesting more flexibility for developing renewable energy on public lands.*
- *Request for importance of continued engagement with tribes to ensure that we recognize and incorporate tribal values and resources in the plan.*
- *Desire for more distributed generation and less utility scale development. This also includes requests to update the energy assumptions and the renewable energy acreage calculator.*
- *Support for a regional analysis of the potential impacts of a renewable energy development and development of a plan-wide conservation strategy.*
- *Support for a final plan that balances the need to protect desert lands and wildlife and contribute to a clean energy future.*

17. How have the DRECP agencies engaged the seven counties covered by the plan over the last few years?

We have engaged the counties on multiple levels including individual meetings and phone calls with county planning staff and County Supervisors, informational presentations to the Boards of Supervisors, participation in public DRECP workshops sponsored by the counties, DRECP webinars, the Energy Commission's Renewable Energy Conservation Planning Grant program, and public meetings. We will continue to engage with the counties on an individual basis to address their specific concerns.

18. How are the agencies addressing concerns raised by the U.S. Environmental Protection Agency that the draft DRECP does not sufficiently analyze potential impacts to air and water, wildlife, and public health in the desert?

The agencies will carefully review issues raised in the US EPA's comment letter. We would also note the EPA's letter stated that, "The EPA believes that the Renewable Energy Action Team (REAT), through the development of the DEIS for the DRECP, has largely succeeded in laying the foundation for this more considered, integrated framework for proposing, siting, and thoughtfully constructing renewable energy projects on California's desert lands." The EPA also noted that, "Though we have concerns with the DRECP... the DEIS nevertheless represents an important step in an unprecedented planning effort for the desert lands of Southern California, and all those who contributed to its development should be lauded for their efforts."

The agencies will consider the EPA's recommendations for how to strengthen the draft environmental analysis and make the appropriate revisions before releasing the final.

19. How will the California State Lands Commission path of development land exchange elements of the DRECP be addressed in the phased approach?

The BLM and State Lands Commission continue to work on land exchange options within the DRECP plan area. The BLM and State Lands Commission are making progress and in the process of getting appraisals done on proposed exchange parcels.